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20 UNITED STATES DISTRICT COURT  
21 CENTRAL DISTRICT OF CALIFORNIA

22 CHARMAINE CHUA, ET AL.

23 CASE NO: 2:16-cv-00237-JAK-GJS(x)  
24 [HON. JOHN A. KRONSTADT]

25 PLAINTIFFS,

JOINT STIPULATION TO CONTINUE  
TRIAL AND RELATED DATES

26 CITY OF LOS ANGELES, ET AL.,

HEARING DATE: JANUARY 14, 2019  
27 HEARING TIME: 8:30 A.M.  
28 COURTROOM: 10B

DEFENDANTS.

TRIAL DATE: MARCH 19, 2019  
TIME: 9:00 A.M.  
ACTION FILED: JAN. 13, 2016

1 ADDITIONAL PLAINTIFFS' COUNSEL

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1 TO THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:

2 Plaintiffs and Defendants do hereby stipulate as follows:

3 The parties previously submitted a joint trial report (Dkt 107) requesting a trial  
4 date of April 30, following which the Court entered a trial date of March 19, 2019  
5 (Dkt 108).

6 Even before recent events that necessitate a new trial date, the current trial date  
7 of March 19 presented substantial problems for Mr. Litt, one of the Plaintiffs'  
8 counsel responsible for the trial of this case. Mr. Litt has had a long-planned family  
9 vacation from February 23, 2019, until March 5, 2019. The parties had requested  
10 April 29 because that would have returned Mr. Litt approximately seven weeks  
11 before trial, allowing him to be available for the Rule 16 meet and confer among  
12 counsel, the extensive preparation for the pretrial conference, and the pretrial  
13 conference itself (which is presently scheduled March 4 when Mr. Litt is away).

14 The parties were prepared to request that the court move the March 19 trial  
15 date on that basis alone. However, in the interim, the sole Defendant's counsel,  
16 Geoffrey Plowden, and the other Plaintiffs' counsel, Paul Hoffman, both have had  
17 significant medical issues arise that makes a March 19 trial date unworkable (and  
18 also necessitates that the hearing date on Plaintiffs' motion for General Damages be  
19 moved).

20 To begin with defense counsel, Geoffrey Plowden is the sole counsel for  
21 defendants on this case, and is the sole trial counsel. He was required to take an  
22 immediate medical leave. As a result, he filed a Notice of Unavailability, which  
23 indicated that leave will go until at least December 19, 2018. (Doc. 115.) Mr.  
24 Plowden is currently out on leave, and his office does not currently know whether he  
25 will be able to return on December 19.

26 a. Because this leave will put Mr. Plowden significantly back not only  
27 on this case, but other cases for which he is responsible, the March  
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1           19 trial date is not possible for him or his office. His other  
2           commitments include several matters in addition to this one that will  
3           require immediate attention on his return. He has another currently  
4           scheduled trial set for February 25, 2019, in Los Angeles Superior  
5           (*Darnell Monday v. City of Los Angeles*) that the City Attorney's  
6           Office will also be addressing with that court. Because the City  
7           Attorney's Office was only informed of Mr. Plowden's need for  
8           immediate medical leave via a writing by his physician, it does not  
9           know whether he will be able to return in December, but it is clear  
10           that his matters will be seriously backed up as a result of Mr.  
11           Plowden's leave.

12           b. For the same reason, it is not possible for Defendants to file their  
13           opposition to the Motion for General Damages, which is currently  
14           due on November 19. If the Court approves, the parties agree to  
15           move the filing date for that opposition to January 7, the Reply to  
16           January 21 and the hearing date to February 4, 2019.

17           c. The City Attorney's Office recognizes that, if Mr. Plowden is unable  
18           to return to work by December 19, it will have to assign a new  
19           attorney to this case. However, at this time, it anticipates that Mr.  
20           Plowden will return by December 19. If he does not, any new  
21           attorney assigned will be able to meet the schedule proposed for both  
22           the General Damages motion and trial.

23           Finally, Paul Hoffman, the other Plaintiffs' trial counsel, requires hip  
24           replacement surgery. He has been waiting for confirmation of the surgical date, with  
25           the objective of setting it as soon as possible. He has been advised by his doctors that  
26           the current plan is to have hip replacement surgery sometime in February, but he will  
27           not know the exact date until late December. A trial date in March would mean that  
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1 he would still be recovering from his surgery, which would put a strain on his  
2 recovery, whereas he expects to be fully recovered from surgery if the trial is held at  
3 the end of April or later.

4        Thus, the parties jointly stipulate that the Court continue the trial date from the  
5 currently scheduled date of March 19, 2019, to May 7, 2019, or a convenient date  
6 thereafter, and to continue the pretrial schedule accordingly, including specifically to  
7 continue the pretrial conference to April 15, 2019. The parties have chosen the May 7  
8 trial date as one they believe provides sufficient time for Mr. Hoffman's surgery  
9 recovery and for Mr. Plowden to be available or Defendants assign new counsel who  
10 will be ready.

11        The parties further stipulate that the date to file any opposition to the motion  
12 for general damages (Dkt. 114) be extended to January 7, 2019, the reply to any  
13 opposition be extended to January 21, 2019, and the hearing on the motion be set for  
14 February 4, 2019.

## IT IS SO STIPULATED

17 || DATED: November 16, 2018 Respectfully Submitted,

KAYE, MCLANE, BEDNARSKI & LITT  
LAW OFFICES OF CAROL SOBEL  
SCHOENBRON, DESIMONE, ET AL.  
LAW OFFICE OF COLLEEN FLYNN  
LAW OFFICE OF MATTHEW STUGAR

By: /s/ Barrett S. Litt \_\_\_\_\_  
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(Permission granted to affix defense counsel's signature on his behalf)